

SISSETON-WAHPETON SIOUX TRIBE
P.O. BOX 509
AGENCY VILLAGE, SD 57262

Prepared Statement of
Mr. Michael Peters, Tribal Secretary, Sisseton-Wahpeton Sioux Tribe
Before the Senate Committee on Indian Affairs
Subject: Reauthorization of Personal Responsibility and Work Opportunity
Reconciliation Act
May 10, 2002

Good Morning, Chairman Inouye and distinguished member of the Committee of Indian Affairs. I bring you greetings from the Sisseton-Wahpeton Sioux Tribal Council. My name is Michael Peters, the elected Tribal Secretary of the tribe and I thank you for the opportunity to present testimony on tribal concerns in regard to the reauthorization of the Federal welfare reform law Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA).

The Sisseton-Wahpeton Sioux Tribe of the Lake Traverse Reservation is located in northeastern South Dakota with a small- portion of the reservation being located in southeastern North Dakota. The reservation was established by the Treaty of 1867 and currently according to tribal data has a tribal membership of 10726 of which 4830 reside on or the near the reservation.

We are a people rich in tradition and are proud of our heritage, however many of our people live in severe poverty and with current economic conditions on the reservation they will have little opportunity to become self-sufficient. The following conditions illustrate the difficulty tribal members have in seeking and retaining employment. Current tribal data shows a poverty rate in excess of sixty (60) percent and an unemployment rate of approximately forty (40) percent. **Lack of jobs, basic education, skill training, childcare facilities, transportation, and substance abuse are the major barriers to employment and self-sufficiency for many tribal members.** Additionally there are many families who have a job but are underemployed. They have incomes that are below poverty guidelines and thus they have problems that relate to retaining employment. In many areas of the country the above conditions would be considered a real tragedy.

Because of the above conditions, the tribe is and has been very concerned with the welfare of its members particularly its young people. In October of 1987, the tribe implemented its own Temporary Assistance for Needy Families Program **without State matching funds** with the firm conviction that the tribe knows best the needs of its people and is in the best position to address those needs. This year the tribe has received direct

Federal funding for its own Child Support Enforcement Program with the purpose of ensuring that all children affiliated with the tribe are able to determine their lineage and obtain child support from responsible parents in a culturally sensitive manner.

In the tribe's opinion, its administration of the Temporary Assistance for Needy Programs (TANF) has been a success. Approximately, sixty (60) percent of the initial TANF caseload (October 1997) no longer receives TANF benefits and of the remaining forty (40) percent less than one (1) percent will reach the 60-month time limit. **This success can be attributed to the tribe being able to integrate TANF into its PL 102-477 (477 Program) Indian Employment, Training, and Related Services Program and target the majority of these resources to welfare recipients.** Other resources related to welfare reform that have been included into the tribe's 477 Program include Native Employment Works, Child Care Development Fund, Work Force Investment Act Programs, Adult Vocational Training, Employment Assistance, General Assistance, and the Tribal Work Experience Program.

With resources found in its 477 program the tribe was able to run a pilot project for children in its largest political district, which encouraged children to stay in school, prepare for work, and stay off welfare. Young people were involved in discussions on career development, career readiness and future goal planning; healthy life styles and self-sufficiency; and responsible families in the Dakota culture. However, presently the tribe lacks the resources to build on and expand this pilot project.

The Tribal Council does provide limited financial support to its 477 program, however the Council recognizes that if there is to be a solution to welfare dependency these funds **must eventually be** utilized for economic development activities that create jobs for welfare recipients.

Despite the success, there has not been a drop in the tribe's TANF caseload. Since the implementation of TANF the tribe's caseload has remained relatively constant because:

- Tribal members not being able to retain employment (problems with transportation and childcare)
- Family breakdown/substance abuse problems
- A continual inflow of new cases – particularly young mothers. The tribe has found that Indian people are much more apt to seek services from a tribal program than from a State administered program and they hold the tribe much more accountable for the quality of services delivered
- Lack of support from the non-custodial parent

Welfare reform truly has not brought significant change to the Lake Traverse Reservation.

The Sisseton-Wahpeton Sioux Tribe has made a major commitment to help our people to meet the challenges of welfare reform. We have devoted tribal as well as many of our

Federal resources to welfare reform. But the tribe cannot do this job alone. We offer the following recommendations:

In terms of Federal resources for our employment services:

We need continued direct funding for our tribal employment programs. We do not receive funding from the State of South Dakota for these services and we do not receive sufficient tribal TANF funds to be able to provide the services necessary to move our people from welfare to work. Any reauthorization of the welfare reform law must provide for the direct funding of tribal employment services.

We need support for tribal employment services at an adequate level. We support a tribal employment services program that includes the funding we received from the Native Employment Works (NEW) and the Welfare-to-Work program and an increase necessary for us serve clients with more barriers to employment. The tribe under its Child Support Enforcement Program can now make non-custodial parents accountable to support their children, however many need basic education and skill training which will enable them find and retain employment so they can provide the needed support. Simply continuing the NEW program for another five years at its FY-94 funding level will not give the tribe the capacity to provide services to non-custodial parents.

We need the ability to integrate all the necessary services into a single program that makes sense to the tribe and works effectively at the reservation level. The tribe has tried to do this under Public Law 102-477. The integrated approach is essential to the tribe's continued success with welfare reform. Program integration is a goal of the President's welfare reform proposals. However, we and other 477 tribes have been hamstrung by objections raised by HHS staff to integrating TANF and NEW with our other programs under a single plan, single budget, and single report. The welfare reauthorization law must include strong language that HHS must respect our ability to use 477 as a tribal tool for program integration.

We need a requirement in the Law that HHS and all other Federal agencies involved must consult with the tribal governments on regulations and policies governing the various Federal programs. The tribe cannot afford to have its plans undermined by Federal rules adopted without our input and which makes our job impossible.

In terms of Federal Resources for Tribal TANF:

We need a way to insure that our TANF recipients receive at least the same level of resources per person that State TANF recipients receive. Our employment services are closely integrated with our cash assistance programs, including General Assistance, and supportive services such as childcare. If our TANF program is shortchanged because the State of South Dakota chooses not to provide matching funds, all the services suffer and our people do not receive all the help they need. The reauthorization of welfare reform must provide for an adjustment to tribal TANF funding

levels in situations like ours where there is not state “match.” Reauthorization should also provide bonus and contingency funds for tribes.

We strongly recommend that reauthorization continue to protect the tribal flexibility to distinctly define their service area and service population and the ability to negotiate minimum work participation requirements.

We also recommend a reduction in the fifty (50) percent joblessness rate found in Section 408 of PRWORA. This tribe strongly recommends stopping the clock for months of assistance where TANF recipients are meeting all the program requirements but cannot find employment because of the lack of employment opportunities within reservation.

And, we need support for economic development to insure that there are jobs for welfare recipients. If welfare reform is to be about reducing dependency on public assistance in tribal communities, it must also be about creating jobs in reservation areas for welfare recipients so welfare recipients can become self-sufficient.

The Sisseton-Wahpeton Sioux Tribe has taken tribal sovereignty very seriously. We have applied this concept to our tribal services, as well as our approach to many other issues.

We were one of the first tribes to take the opportunity to integrate many of our services under Public Law 102-477. We were one the first tribes to run our own tribal TANF program. We continue to be the only tribe in the State of South Dakota that has done so. We were one of the first tribe to implement our own Child Support Enforcement Program. This is a record we are proud of.

We intend to continue to serve our people in ways that are consistent with our tribal traditions and the needs of our communities. What we ask is simply that you make it possible for us to help ourselves more effectively and that you continue the Indian Affairs Committee’s strong commitment to tribal sovereignty in all its aspects.